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13 Attorneys for Defendants,
 14 REPUBLIC OF AUSTRIA,
 a foreign state, and
 THE AUSTRIAN GALLERY

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

19 MARIA V. ALTMANN, an individual

20 Plaintiff,

21 against

22 REPUBLIC OF AUSTRIA, a foreign state,
 and THE AUSTRIAN GALLERY, an
 23 agency of the REPUBLIC OF AUSTRIA

24 Defendants.

Case No. CV 00-08913 FMC SSx

[The Honorable Florence-Marie
 Cooper]

**STIPULATION OF DISMISSAL
 WITH PREJUDICE PURSUANT
 TO FED.R.CIV.P. 41(a)(1)(ii)**

Complaint Filed: August 22, 2000

First Am. Comp. Filed: July 29, 2004

Discovery Cutoff: June 30, 2005

Pretrial
 Conference: October 17, 2005

Trial Date: November 1, 2005

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CLERK US DISTRICT COURT

BY

1 This Stipulation is made by and between all of the parties to this action,
 2 namely, Plaintiff Maria Altmann for herself and her co-heirs on whose behalf she
 3 has pursued this action (collectively "Altmann"), and Defendants Republic of
 4 Austria, a foreign state, and the Austrian Gallery (collectively, "Austria"), as
 5 follows:

6 WHEREAS, Altmann and Austria desire to dismiss the above-captioned
 7 action, in its entirety, with prejudice;

8 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and
 9 between Altmann and Austria, through their respective undersigned counsel, that:

10 1. The above-captioned action is hereby dismissed in its entirety, with
 11 prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii).

12 2. Each of the parties shall bear his, her or its own costs and attorneys'
 13 fees in connection with the above-captioned action.

14 DATED: May 19, 2005

E. RANDOL SCHOENBERG
 BURRIS & SCHOENBERG, LLP

By: 

E. Randol Schoenberg

Attorneys for Plaintiff,
 MARIA V. ALTMANN

20 DATED: May 19, 2005

SCOTT P. COOPER
 JONATHAN E. RICH
 TANYA L. FORSHEIT
 PROSKAUER ROSE LLP

By: 

Scott P. Cooper

Attorneys for Defendants,
 REPUBLIC OF AUSTRIA, a foreign
 state, and THE AUSTRIAN GALLERY

22 IT IS SO ORDERED

23 DATED May 23, 2005

24 Lorence M. Cooper

25 UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I declare that: I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is 2049 Century Park East, Suite 3200, Los Angeles, California 90067-3206.

On May 19, 2005, I served the foregoing document, described as:

**STIPULATION OF DISMISSAL WITH PREJUDICE
PURSUANT TO FED.R.CIV.P. 41(a)(1)(ii)**

by placing ☐ the original ☒ a true copy thereof enclosed in a sealed envelope addressed as follows:

E. Randol Schoenberg, Esq.
Burris & Schoenberg, LLP
12121 Wilshire Boulevard, Suite 800
Los Angeles, CA 90025-1168

- ☒ (By Mail) I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, the envelope would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ (By Fax) By transmitting a true and correct copy thereof via facsimile transmission to the following facsimile number(s):
- ☐ (By Personal Service)
- ☐ By personally delivering such envelope to the office of the addressee.
- ☐ By causing such envelope to be delivered by messenger to the office of the addressee.
- ☐ (By Overnight Courier) By causing such envelope to be delivered the next business day to the office of the addressee via Federal Express or other similar overnight delivery service.
- ☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ☒ (Federal) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on May 19, 2005, at Los Angeles, California.

PATTY HAYS
Type or Print Name


Signature